



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

October 2, 2009

TO: Chief Procurement Officer

THROUGH: Lola H. Irvin, M.Ed., Project Manager *LHI*
Tobacco Settlement Project Office

FROM: Chiyome Leinaala Fukino, M.D. *[Signature]*
Director of Health

SUBJECT: Extension of Exemption from Chapter 103D, HRS 10-001-C

The Tobacco Prevention & Education Program (TPEP) submitted a request for an Exemption from Chapter 103D, HRS on July 1, 2009. An exemption, 10-001-C for National Cinemedia, was granted on July 15 for the period August 14, 2009 to August 14, 2010. A copy of that Exemption is attached.

This memo requests that the period of the Exemption be extended from August 14, 2010 to September 23, 2010.

There will be no additional cost to the Program for this extension. The total dollar amount of the Exemption remains unchanged.

The reason for this request is to eliminate an overlap of theater ads that relate to tobacco prevention and control from TPEP and an external contract to an organization which also places theater ads with a tobacco control theme. The additional time would allow for a rotation of ads between the two ads so as not to have both ads run at the same time which in turn would maximize the efficiency of the media campaigns at Signature and Hollywood Theatres.

If you have any questions or require additional information, please contact Julian Lipshert at 586-4662.

☒ APPROVED ☐ DISAPPROVED

Clara S. Fajon
Chief Procurement Officer

12/1/09
Date:

Attachment

CPO COMMENTS: This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply.

STATE PROCUREMENT OFFICE
STATE OF HAWAII

09 OCT -7 18:30

Posted 12/1/09
LT

PE 10-001-G/K
DmD



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STATE PROCUREMENT OFFICE
STATE OF HAWAII
**NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS**

1. TO: Chief Procurement Officer
2. FROM: DOH/CHD/CDMCB/Tobacco Prevention & Education Program

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:

On-screen advertisement for tobacco and teens/youth smoking messages in theaters.

4. Name of Vendor: National Cinemedia, LLC

Address: P.O. Box 17491
Denver, CO 80217

5. Price:

\$50,000.00

6.

Term of Contract: From: 8/14/09

To: 8/14/10

7. Prior Exemption Ref. No.

09 022 J

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:
Vendor is the sole representative for Signature & Hollywood Theatres in Hawaii. The vendor was not selected by the requester, but is contracted by the theatre to manage on-screen advertisement.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

There are no other vendors for this service.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
see attachment

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
Chiyoume Leinaala Fukino	Director of Health	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Sharon Abe	Chief, ASO	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Barbara Yamashita	Chief, CHD	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Danette Wong Tomiyasu	Chief, CDMCB	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Julian Lipsher	Program Manager, TPEP	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: TPEP Contact Name: Julian Lipsher Phone Number: 586-4662 Fax Number: 586-8252
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Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*


JUL - 1 2009


 Department Head Chiyoume Leinaala Fukino
 Director of Health

Date

Reserved for SPO Use Only	
15. Date Notice Posted <u>7/6/09</u>	
The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: <div style="margin-left: 200px;"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 </div>	
Chief Procurement Officer's comments: <div style="margin-left: 40px;"> This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply. Department is reminded that procurements \$2,500 or more are required to be posted on the Procurement Reporting System. </div>	

16. ☒ **APPROVED** ☐ **DISAPPROVED** ☐ **NO ACTION REQUIRED**


 Chief Procurement Officer Date 7/15/09

STATE PROCUREMENT OFFICE
REQUEST FOR AN EXEMPTION FROM CHAPTER 103D, HRS

- #9. Detail of the process to be followed in selecting the vendor to ensure maximum, fair, and open competition as practicable:

There are no other vendors for this service at Hollywood Theatres.

Program Manager identifies the target consumer and marketing modality (theatre on-screen advertisement).

Program Manager investigates the various sites' effectiveness in reaching the largest numbers of the target consumer.

Program Manager selects sites(s) and works with the vendor (sole representative for a site) who contracts for on-screen advertisements.

Contract is negotiated with vendor.

- # 10. Description of the agency's internal controls and approval requirements for the exempted procurement:

Julian Lipsher
Program Manager

Selects sites and negotiates fees

James Cullen
Public Health Administrative Officer

Monitors billings for proper expenditures

Danette Wong Tomiyasu, Chief
Chronic Disease Management &
Control Branch Chief

Approval of purchase order

Wayne Kotaki
Public Health Administrative Officer
Community Health Division

Approval of purchase order and required
documentation

Barbara Yamashita, Chief
Community Health Division

Approval of purchase order

Janice Okubo
Communications Office

Approval of ads that are to be displayed